



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

23 September 2011

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

Acronyms	3
1.0 U.S. Federal Regulatory Review	4
1.1 Federal Register Summary	4
1.2 Other News and Developments	8
1.2.1 <i>Webinars and Online Training</i>	8
1.2.2 <i>Instructions for Implementing Sustainable Locations</i>	9
1.2.3 <i>White Sands Test Facility Receives National Partnership for Environmental Priorities Award</i>	9
1.3 NASA Regulatory Communication Working Group Updates	9
2.0 State Regulatory Reviews	10
2.1 Alabama State Regulatory Review	10
2.1.1 <i>ADEM Electronic Permit Application Process</i>	10
2.2 California State Regulatory Review	11
2.2.1 <i>California Air Districts Regulatory Review</i>	12
2.2.1.1 <i>Antelope Valley Air Quality Management District</i>	12
2.2.1.2 <i>Bay Area Air Quality Management District</i>	12
2.2.1.3 <i>Eastern Kern Air Pollution Control District</i>	13
2.2.1.4 <i>Mojave Desert Air Quality Management District</i>	13
2.2.1.5 <i>South Coast Air Quality Management District</i>	13
2.2.1.6 <i>Ventura County Air Pollution Control District</i>	13
2.3 Florida State Regulatory Review	14
2.4 Louisiana State Regulatory Review	14
2.5 Maryland State Regulatory Review	14
2.6 Mississippi State Regulatory Review	14
2.7 New Mexico State Regulatory Review	14
2.8 Ohio State Regulatory Review	15
2.9 Texas State Regulatory Review	16
2.10 Utah State Regulatory Review	16
2.11 Virginia State Regulatory Review	16

Acronyms

AAC = Alabama Administrative Code	NAAQS = National Ambient Air Quality Standards
ADEM = Alabama Department of Environmental Management	NASA = National Aeronautics and Space Administration
AQMD = Air Quality Management District	NEPA = National Environmental Protection Agency
ARB = Air Resources Board	NESHAP = National Emission Standards for Hazardous Air Pollutants
AST = Office of Commercial Space Transportation	NHTSA = National Highway Traffic Safety Administration
ASTM = American Society for Testing and Materials	NOAA = National Oceanographic and Atmospheric Administration
ATCM = Air toxic control measure	NO _x = Nitrogen oxides
BLM = Bureau of Land Management	NPDES = National Pollutant Discharge Elimination System
CAA = Clean Air Act	NPEP = National Partnership for Environmental Priorities
CCR = <i>California Code of Regulations</i>	NSRL = No significant risk level
CEQ = Council on Environmental Quality	OAC = Ohio Administrative Code
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
CO ₂ = Carbon dioxide	OEHA = Office of Environmental Health Hazard Assessment
CPSC = Consumer Product Safety Commission	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CRNR = California Regulatory Notice Register	RACM = Reasonably available control measure
DC-MD-VA = District of Columbia, Maryland, and Virginia	RCRA = Resource Conservation and Recovery Act
DDAGW = Division of Drinking and Groundwater	RFP = Reasonable further progress
DOE = U.S. Department of Energy	RIN = Regulatory Identification Number
DPS = Distinct population segment	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DSW = Division of Surface Water	SCAQMD = South Coast Air Quality Management District
e-NOI = Electronic notice of intent	SEA = Supplemental Environmental Assessment
EPA = U.S. Environmental Protection Agency	SIP = State Implementation Plan
ESA = Endangered Species Act	SSI = Spaceport Systems International
FAA = Federal Aviation Administration	SWRCB = State Water Resource Control Board
FEMP = Federal Energy Management Program	TRU = Transport refrigeration unit
FONSI = Finding of no significant impact	U.S. = United States
FR = <i>Federal Register</i>	USFWS = U.S. Fish and Wildlife Service
FY = Fiscal year	UST = Underground storage tank
GHG = Greenhouse gas	UESC = Utility energy service contract
GSA = General Services Administration	VAC = Virginia Administrative Code
GSFL = General service fluorescent lamp	VAFB = Vandenberg Air Force Base
ISOR = Initial Statement of Reason	VA.R = <i>Virginia Register</i>
IRL = Incandescent reflector lamps	WEMO = West Mojave
IRIS = Integrated Risk Information System	WSTF = White Sands Test Facility
LAC = Louisiana Administrative Code	
LDEQ = Louisiana Department of Environmental Quality	
MOPP = Vincristine– prednisone–nitrogen mustard–procarbazine mixture	
MVEB = Motor vehicle emissions budget	
NAA = Nonattainment area	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED092311-1	Air GHGs	09/15/2011	76 FR 57105	Final Rule	<p>U.S. Environmental Protection Agency; National Highway Traffic Safety Administration</p> <p>Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles [40 CFR Parts 85, 86, 600, 1033, 1036, 1037, 1039, 1065, 1066, and 1068; 49 CFR Parts 523, 534, and 535]</p> <p>Finalizes rules to establish a coordinated national program intended to reduce GHG emissions and fuel consumption for on-road heavy-duty vehicles. NHTSA's final fuel consumption standards and EPA's final CO₂ emissions standards are tailored to each of three regulatory categories of heavy-duty vehicles:</p> <ul style="list-style-type: none"> Combination tractors Heavy-duty pickup trucks and vans Vocational vehicles <p>The rules include separate standards for the engines that power combination tractors and vocational vehicles. Effective 11/14/2011. [RINs 2060-AP61; 2127-AK74]</p>	
FED092311-2	Air NAAQS-Lead	09/20/2011	76 FR 58509	Notice	<p>U.S. Environmental Protection Agency</p> <p>Release of Risk and Exposure Assessment Planning Document for the Review of the National Ambient Air Quality Standards for Lead</p> <p>Announces availability of report entitled, "Review of the National Ambient Air Quality Standards for Lead: Risk and Exposure Assessment Planning Document." Comments due 10/21/2011.</p>	
FED092311-3	Air NESHAP-Plating and Polishing	09/19/2011	76 FR 57913	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing [40 CFR Part 63]</p> <p>Finalizes amendments to make technical corrections and to clarify that the emission control requirements of the plating and polishing area source NESHAP do not apply to bench-scale activities. Additionally, withdraws the related direct final rule previously published (76 FR 35744, 06/20/2011). Effective 10/19/2011. [RIN 2060-AQ74]</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED092311-4	Air SIP-Ozone	09/20/2011	76 FR 58206	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia; Determinations of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Washington, DC-MD-VA 8-Hour Ozone Moderate Nonattainment Area [40 CFR Part 52]</p> <p>Proposes the following determinations regarding the Washington, DC-MD-VA moderate 8-hour ozone NAA:</p> <ul style="list-style-type: none"> ▪ The NAA has attained the 1997 8-hour ozone NAAQS. If this proposal becomes final, the requirement for this area to submit an attainment demonstration, RACM, RFP plan, and contingency measures related to attainment of the 1997 8-hour ozone NAAQS would be suspended as long as the area remains in attainment. ▪ The NAA attained the 1997 8-hour ozone NAAQS by its attainment target date of 06/15/2010. <p>Comments due 10/20/2011.</p>	
FED092311-5	Air SIP-Ozone	09/20/2011	76 FR 58116	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia; 2002 Base Year Emission Inventory, Reasonable Further Progress Plan, Contingency Measures, Reasonably Available Control Measures, and Transportation Conformity Budgets for the Washington, DC 1997 8-Hour Moderate Ozone Nonattainment Area [40 CFR Part 52]</p> <p>Approves SIP revisions submitted by the District of Columbia, Maryland, and Virginia pertaining to the 2002 base year emissions inventory, the RFP plan, RFP contingency measure, and RACM requirements for the Washington, DC-MD-VA moderate 1997 8-hour ozone NAA. Also approves the 2008 transportation conformity MVEBs associated with this revision. Effective 10/20/2011.</p>	
FED092311-6	Air, Water Testing	09/15/2011	76 FR 57031	Notice	<p>U.S. Environmental Protection Agency</p> <p>Draft Harmonized Test Guidelines; Notice of Availability and Request for Comments</p> <p>Announces availability of the draft test guidelines for Series 810--Product Performance Test Guidelines for Public Health Uses of Antimicrobial Agents, concerning specifically air, textiles, and water. Comments due 12/14/2011.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED092311-7	Commercial Space Flight	09/15/2011	76 FR 57103	Notice	<p>Federal Aviation Administration</p> <p>Office of Commercial Space Transportation (AST); Notice of Availability of the Supplemental Environmental Assessment (SEA) and Finding of No Significant Impact (FONSI) for the Federal Aviation Administration (FAA)/AST To Renew Launch Site Operator License (LSO 01-005) to Spaceport Systems International (SSI) for the Continued Operation of the California Spaceport at Vandenberg Air Force Base (VAFB), California</p> <p>Announces availability of the SEA and FONSI for the FAA and AST to renew SSI's Launch Site Operator License for the continued operation of the California Spaceport at VAFB, California.</p>	
FED092311-8	Energy Lamps	09/14/2011	76 FR 56678	Notice Meeting	<p>U.S. Department of Energy</p> <p>Energy Efficiency Program for Consumer Products: Public Meeting and Availability of the Framework Document for General Service Fluorescent Lamps and Incandescent Reflector Lamps [10 CFR Part 430]</p> <p>Announces a public meeting to discuss DOE's rulemaking and data collection process to consider establishing amended energy conservation standards for certain GSFLs and IRLs. DOE has prepared a framework document that details the analytical approach. Meeting is scheduled for 10/04/2011 in Washington, D.C. Comments due 10/31/2011. [RIN 1904-AC43]</p>	
FED092311-9	Hazardous Materials	09/13/2011	76 FR 56304	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Minor Editorial Corrections and Clarifications [49 CFR Parts 105, 106, 107, 130, 171, 172, 173, 174, 176, and 177]</p> <p>Finalizes minor corrections and clarifications. The amendments contained in this rule do not impose new regulatory requirements. Effective 09/13/2011. [RIN 2137-AE77]</p>	
FED092311-10	Natural Resources Land Planning	09/22/2011	76 FR 58807	Notice	<p>U.S. Environmental Protection Agency</p> <p>An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning Can Incorporate Climate Change Information--Release of Final Report</p> <p>Announces availability of the final report entitled, "An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information."</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED092311-11	Procurement Biobased Products	09/14/2011	76 FR 56883	Proposed Rule	<p>U.S. Department of Agriculture Designation of Product Categories for Federal Procurement [7 CFR Part 3201]</p> <p>Proposes to amend the Guidelines for Designating Biobased Products for Federal Procurement by adding sections designating the following product categories within which biobased products would be afforded federal procurement preference:</p> <ul style="list-style-type: none"> ▪ Air fresheners and deodorizers ▪ Asphalt and tar removers ▪ Asphalt restorers ▪ Blast media ▪ Candles and wax melts ▪ Electronic component cleaners ▪ Floor coverings (non-carpet) ▪ Foot care products ▪ Furniture cleaners and protectors ▪ Inks ▪ Packaging and insulating materials ▪ Pneumatic equipment lubricants ▪ Wood and concrete stains <p>Also proposes minimum biobased contents for each of these product categories. Comments due 11/14/2011. [RIN 0599-AA14]</p>	NASA Centers and contractors should be aware of this action.
FED092311-12	Species Kemp's Ridley Sea Turtle	09/22/2011	76 FR 58781	Notice	<p>National Oceanic and Atmospheric Administration Endangered and Threatened Species; Recovery Plans; Recovery Plan for the Kemp's Ridley Sea Turtle</p> <p>Announces availability of the Bi-National Recovery Plan for the Kemp's Ridley Sea Turtle, which includes specific recovery objectives and criteria that must be met to delist and delist this species under the ESA. [RIN 0648-XS00]</p>	Coastal facilities should consider reviewing this plan to evaluate applicability.
FED092311-13	Species Loggerhead Sea Turtles	09/22/2011	76 FR 58867	Final Rule	<p>U.S. Fish and Wildlife Service; National Oceanic and Atmospheric Administration Endangered and Threatened Species; Determination of Nine Distinct Population Segments of Loggerhead Sea Turtles as Endangered or Threatened [50 CFR Parts 17, 223, and 224]</p> <p>Determines that the loggerhead sea turtle is composed of nine DPSs that constitute "species." Final rule lists four DPSs as threatened and five as endangered under the ESA. USFWS and NOAA are seeking information related to the following:</p> <ul style="list-style-type: none"> ▪ Identification of critical habitats and essential physical or biological features for this species ▪ Economic or other relevant impacts of designation of critical habitat <p>Effective 10/24/2011. [RIN 0648-AY49]</p>	Coastal facilities should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED092311-14	Sustainability	09/19/2011	76 FR 57983	Notice	U.S. Environmental Protection Agency Notice of the Availability of the Draft Framework for the U.S.-Mexico Environmental Program: Border 2020 Announces availability of the draft document, " Border 2020: U.S.-Mexico Environmental Program ". The proposed Border 2020 Program is the latest multi-year, bi-national planning effort to be implemented under the La Paz Agreement and succeeds Border 2012, a 10-year program that will end in 2012. The mission of Border 2020 is "to protect public health and the environment in the U.S.-Mexico border region, consistent with the principles of sustainable development." Comments due 11/30/2011.	
FED092311-15	Toxic Substances Cadmium	09/16/2011	76 FR 57682	Notice	Consumer Product Safety Commission Petition Requesting Regulations Restricting Cadmium in Children's Products Announces receipt of a petition requesting standards restricting cadmium in children's products, especially toy metal jewelry. CPSC granted the petition and directed CPSC staff to begin drafting a proposed rule unless a voluntary standard for cadmium in children's jewelry is published by ASTM within 3 months after 09/16/2011.	
FED092311-16	Toxic Substances n-Butanol	09/15/2011	76 FR 57033	Notice	U.S. Environmental Protection Agency Draft Toxicological Review of n-Butanol: In Support of Summary Information on the Integrated Risk Information System (IRIS) Reschedules the listening session published in 76 FR 54227 (08/31/2011) for 10/26/2011 in Arlington, Virginia..	

1.2 Other News and Developments

1.2.1 Webinars and Online Training

The DOE's FEMP will host the following events related to utility energy service contracts (UESCs):

- UESC Workshops will provide an overview of the contracting options and services available to engineer, finance, and install cost-effective energy and water savings projects. They will be held on 18 October 2011 in Atlanta, Georgia, and on 24 October 2011 in Philadelphia, Pennsylvania.
- [Federal Utility Partnership Working Group](#) meetings are scheduled for 25 and 26 October 2011 in Philadelphia, Pennsylvania.
- The Federal/Utility Partnerships Workshop will host utilities involved in UESCs with federal clients. The utilities will present services and case studies from their UESCs. The workshop is planned for 19 October 2011 in Atlanta, Georgia.

Registration for these events and more information regarding UESC can be found on the [FEMP](#) website.

1.2.2 Instructions for Implementing Sustainable Locations

On 15 September 2011, the CEQ issued [Instructions for Implementing Sustainable Locations for Federal Facilities](#). The document is intended to provide guidance regarding sustainability to federal agencies that are seeking to move, expand, consolidate, acquire, or develop owned or leased space. The instructions require agencies to evaluate land use, cost, security, and mission needs, as well as transportation, infrastructure, economic development, and water and air quality. The instructions also call for federal agencies to review agency business practices and to develop internal policies and procedures that align their facility decision-making to the following recommended principles:

- Advance local and regional planning goals
- Seek location-efficient sites
- Maximize use of existing resources
- Foster the protection of the natural environment
- Review workplace standards to promote more efficient facility development
- Reduce parking demand for single occupancy vehicles

More information about the instructions can be found on the [CEQ](#) website.

1.2.3 White Sands Test Facility Receives National Partnership for Environmental Priorities Award

NASA's WSTF recently was [awarded](#) a [National Partnership for Environmental Priorities](#) (NPEP) Achievement Award for recycling related to spent ammunition. The NPEP is a partnership between EPA and others representing industry, business, municipalities, federal facilities, and tribes who are focused on reducing the use of potentially hazardous chemicals from products and processes. WSTF first became an NPEP partner in June 2009. More information about the awards can be found on the FedCenter [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 19 October
- 16 November

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL092311-1	Air SIP-Lead	09/11/2011	Public Notice 350	Notice Hearing	Alabama Department of Environmental Management Alabama State Implementation Plan Announces a public hearing to discuss a proposal to certify that Alabama's existing SIP meets all CAA Section 110(a)(1) and 110(a)(2) provisions that address the 2008 Lead NAAQS. Copies of the proposal are available for review. Public hearing is scheduled for 10/26/2011 in Montgomery, Alabama. Comments due 10/28/2011.	
AL092311-2	Storage Tanks Trust Fund Charge	09/18/2011	Public Notice 205	Notice Hearing	Alabama Department of Environmental Management Underground and Aboveground Storage Tank Trust Fund [AAC 335-6-16] Announces a public hearing to discuss proposed amendments to establish an annual Trust Fund charge of \$0.01 per gallon. Proposed rule and summary of reasons are available for review. Public hearing is scheduled for 11/04/2011 in Montgomery, Alabama. Comments due 11/04/2011.	
AL092311-3	Storage Tanks UST Installation	09/18/2011	Public Notice 215	Notice Hearing	Alabama Department of Environmental Management Underground Storage Tank Installation, Closure and Repair Training Requirements [AAC 335-6-15] Announces a public hearing to discuss addition of the requirement for individuals to complete certification training to perform UST installation, closure, and repair. Proposed amendments are available for review. Public hearing is scheduled for 11/04/2011 in Montgomery, Alabama. Comments due 11/04/2011.	
AL092311-4	Water 303(d) List	09/19/2011	Public Notice 210	Notice	Alabama Department of Environmental Management Draft 2012 Section 303(d) List of Impaired Waters; Alabama's Draft Water Assessment and Listing Methodology Announces development of the Draft 2012 Section 303(d) List of Impaired Waters and availability of the Draft 2012 Water Assessment and Listing Methodology . Comments due 10/19/2011.	

2.1.1 ADEM Electronic Permit Application Process

ADEM has announced that those seeking to obtain permit coverage under an NPDES General Construction Permit may now file an electronic notice of intent (e-NOI). Participation in the e-NOI process allows facilities to receive electronic confirmation when their permit application has been received, when their fee payment has been processed, and when their coverage under the NPDES Construction General Permit has been granted. An e-NOI process also is being developed for multiple NPDES Industrial General Permits. Additional information can be found on the [ADEM website](#).

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA092311-1	Air SIP-Ozone	09/14/2011	76 FR 56694	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; California; Determinations of Failure To Attain the One-Hour Ozone Standard [40 CFR Part 52]</p> <p>Proposes to determine that the following areas did not meet the 1-hour ozone NAAQS by the attainment date:</p> <ul style="list-style-type: none"> ▪ South Coast Air Basin ▪ San Joaquin Valley ▪ Southeast Desert <p>Comments due 10/14/2011.</p>	
CA092311-2	Air Transport Refrigeration Units	08/31/2011	ARB Website	Notice Hearing	<p>California Air Resources Board</p> <p>Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRUs) and TRU Generator Sets, and Facilities where TRUs Operate [13 CCR 2477]</p> <p>Announces a public hearing to consider adoption of amendments to the regulations affecting TRUs and TRU generator sets. Proposed amendments would provide compliance extensions under specific conditions for certain TRU engines. Also clarifies record-keeping requirements. Hearing is scheduled for 10/20/2011 in Sacramento, California.</p>	
CA092311-3	Natural Resources NEPA	09/13/2011	76 FR 56466	Notice	<p>Bureau of Land Management</p> <p>Notice of Intent to Prepare an Environmental Document and Proposed Plan Amendment for the West Mojave (WEMO) Plan, Motorized Vehicle Access Element, Inyo, Kern and Los Angeles and San Bernardino Counties, California</p> <p>Announces a public scoping process for the preparation of an environmental document and proposed WEMO area plan amendment. Additional information is available on the California Desert District website. Meeting information is available on the BLM website. Comments due 10/13/2011.</p>	
CA092311-4	Toxic Substances	09/23/2011	CRNR 2011, 38z, p. 1552	Final Rule	<p>Office of Environmental Health Hazard Assessment</p> <p>Chemicals Required by State or Federal Law to Have been Tested for Potential to Cause Cancer or Reproductive Toxicity, But Which Have Not Been Adequately Tested As Required [27 CCR 27000]</p> <p>Amends the list entitled, "Chemicals Required By State Or Federal Law To Have Been Tested For Potential To Cause Cancer Or Reproductive Toxicity, But Which Have Not Been Adequately Tested As Required." Effective 08/01/2011.</p>	
CA092311-5	Toxic Substances	09/23/2011	OEHA Website	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>October 12 and 13, 2011, Meeting of the Carcinogen Identification Committee</p> <p>Announces a public meeting of the Carcinogen Identification Committee of OEHA's Science Advisory Board to identify chemicals for addition to the Proposition 65 list. Tentative agenda is available on the OEHA Website. The public meeting is scheduled for 10/12/2011 and 10/13/2011 in Sacramento, California.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA092311-6	Toxic Substances Proposition 65	09/16/2011	CRNR 2011, 37z, p. 1505	Proposed Rule	Office of Environmental Health Hazard Assessment Notice of Intent to List Chemicals by the Labor Code Mechanism Proposes to list the following chemicals as known to the state to cause cancer: <ul style="list-style-type: none"> ▪ Estrogen–progestogen (combined) used as menopausal therapy ▪ Etoposide ▪ Etoposide in combination with cisplatin and bleomycin ▪ Methyl isobutyl ketone ▪ MOPP Additional information is available on the OEHHA website . Comments due 10/17/2011.	
CA092311-7	Toxic Substances Proposition 65–Hexavalent Chromium	09/16/2011	CRNR 2011, 37z, p. 1505	Proposed Rule	Office of Environmental Health Hazard Assessment Prop 65–Hexavalent Chromium Amendment [27 CCR 25707] Removes reference to hexavalent chromium as posing no significant risk when ingested. Recent scientific findings established that chromium and chromium compounds can be carcinogenic by the oral route. Further information and proposed text are available on the OEHHA website . Comments due 10/17/2011.	
CA092311-8	Toxic Substances Proposition 65–Imazalil	09/23/2011	CRNR 2011, 38z, p. 1542	Proposed Rule	Office of Environmental Health Hazard Assessment Prop. 65 NSRL–Imazalil (carcinogen) [27 CCR 25705] Proposes to establish a specific regulatory level posing no significant risk for the fungicide imazalil of 11 micrograms per day. Additional information, including the ISORs, is available on the OEHHA website . Comments due 11/07/2011.	
CA092311-9	Waste Recycling	08/31/2011	ARB Website	Notice Hearing	California Air Resources Board Mandatory Commercial Waste Recycling [17 CCR 95620] Announces a public hearing to consider adoption of a new regulation to reduce GHG emissions by requiring businesses and public entities to recycle commercial solid waste materials. Hearing is scheduled for 10/20/2011 in Sacramento, California.	NASA-related facilities should be aware of this action.
CA092311-10	Water	09/23/2011	SWRCB Website	Notice	State Water Resource Control Board The California Water Boards' Annual Performance Report–Fiscal Year 2010-11 Announces availability of the Fiscal Year 2010-2011 Annual Performance Report .	

2.2.1 California Air Districts Regulatory Review

2.2.1.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.1.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

2.2.1.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.1.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.1.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS092311-1	Air Energy Policy	09/13/2011	SCAQMD Website	Notice	<p>South Coast Air Quality Management District</p> <p>Air Quality Management District Air Quality-Related Energy Policy</p> <p>Announces adoption of a new policy that addresses air quality, energy, and climate change issues by establishing the following:</p> <ul style="list-style-type: none"> An overview of the energy demands in 2008 Ten air quality energy policies to guide AQMD efforts Ten actions to support new energy policies 	
CAS092311-2	Air NO _x	09/09/2011	SCAQMD Website	Final Rule	<p>South Coast Air Quality Management District</p> <p>NO_x Reductions from Miscellaneous Sources [Rule 1147]</p> <p>Finalizes the following amendments to new and existing combustion sources:</p> <ul style="list-style-type: none"> Provides regulated sources with compliance flexibility while maintaining reductions of NO_x emissions Delays NO_x emissions limit compliance date Reduces monitoring and testing requirements Effective 09/09/2011. 	
CAS092311-3	Air SIP-Ozone	09/16/2011	76 FR 57871	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval of Air Quality Implementation Plans; California; South Coast; Attainment Plan for 1997 8-Hour Ozone Standard [40 CFR Part 52]</p> <p>Proposes approval of the SIP for attainment of the 8-hour ozone NAAQS in Los Angeles-South Coast. Proposed revisions include the following:</p> <ul style="list-style-type: none"> Emission inventories RACM RFP demonstrations Transportation conformity motor vehicle emissions budgets Contingency measures for failure to reach RFP or attainment New technologies' provision and commitment to adopt contingency measures Disapproval of provisions for transportation control strategies until court case is resolved <p>Comments due 10/17/2011.</p>	

2.2.1.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Florida State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Florida.

2.4 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA092311-1	Administrative Permit Review	09/20/2011	LDEQ Website– OS087	Proposed Rule	Louisiana Department of Environmental Quality Repeal of LAC 33:1:Chapter 15 Proposes amendments to establish a technical review period for working draft permit documents. This change would allow the applicant an opportunity to provide comments of a technical nature regarding the working draft permit document to avoid errors before issuance of a draft permit decision. Public hearing is scheduled for 10/26/2011 in Baton Rouge, Louisiana. Comments due 11/02/2011.	

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD092311-1	Air SIP–Ozone, PM _{2.5}	09/12/2011	76 FR 56130	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Maryland; Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52] Proposes to approve state submittals addressing infrastructure elements specified in CAA Section 110(a)(2) for implementing, maintaining, and enforcing the 1997 8-hour ozone and PM _{2.5} NAAQS and the 2006 PM _{2.5} NAAQS. Comments due 10/12/2011.	

2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.7 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH092311-1	Air SIP-PM _{2.5}	09/14/2011	76 FR 56641	Final Rule	U. S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Ohio and West Virginia; Determinations of Attainment of the 1997 Annual Fine Particle Standard for Four Nonattainment Areas [40 CFR Part 52] Determines that the fine particulate matter NAAs have attained the 1997 annual average PM _{2.5} NAAQS by the applicable attainment date. Effective date 10/14/11.	
OH092311-2	Waste Hazardous Waste	09/14/2011	76 FR 56708	Proposed Rule	U. S. Environmental Protection Agency Final Authorization of State Hazardous Waste Management Program Revision [40 CFR Part 271] Proposes authorization of revisions to Ohio's hazardous waste program under RCRA. Comments due 10/14/2011.	
OH092311-3	Water Operator Certification	09/22/2011	DDAGW Website- Rulemaking	Proposed Rule	Division of Drinking and Groundwater, Ohio Environmental Protection Agency Operator Certification Draft Rules [OAC 3745-7] Proposes revisions to OEPA's Water and Wastewater Operator Certification Rules. Further details, including the public notice and draft rules , are on the OEPA website . Comments due 10/21/2011.	
OH092311-4	Water Permit to Install	09/13/2011	DSW Website- What's New	Proposed Rule	Division of Surface Water, Ohio Environmental Protection Agency Permit to Install Draft Rules [OAC 3745-42-05] Proposes minor revisions to OEPA's Permit to Install Design Flow and Waste Strength Requirements for Treatment Works Sized For One Hundred Thousand Gallons Per Day or Less rule. Further details, including the interested party letter and draft rules , are on the OEPA website . Comments due 10/14/2011.	
OH092311-5	Water Water Quality	09/21/2011	DSW Website- What's New	Proposed Rule	Division of Surface Water, Ohio Environmental Protection Agency Water Quality Trading Program Draft Rules [OAC 3745-5] Proposes minor revisions to OEPA's Water Quality Trading Program rules. Further details, including the interested party letter and draft rules , are on the OEPA website . Comments due 10/25/2011.	

2.9 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Texas.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX092311-1	Air SIP	09/15/2011	76 FR 56982	Notice Withdrawal	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to Permits by Rule and Regulations for Control of Air Pollution by Permits for New Construction or Modification Withdraws the direct final rule (76 FR 44271 , 07/25/2011) approving portions of the SIP related to emissions offsets and discrete emissions reduction credits. A final rule will be published after consideration of comments previously received.	
TX092311-2	Air SIP–Ozone, PM _{2.5}	09/22/2011	76 FR 58748	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transportation Requirements for the 1997 Ozone and the 1997 and 2006 PM _{2.5} NAAQS [40 CFR Part 52] Proposes to partially approve and partially disapprove SIP revisions from Texas regarding infrastructure elements necessary to implement, maintain, and enforce the 1997 8-hour ozone and 1997 and 2006 PM _{2.5} NAAQS. Comments due 10/24/2011.	

2.10 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT092311-1	Air NAAQS–PM _{2.5}	09/15/2011	UT Bull. Vol. 2011-18: sn151464	Notice	Utah Department of Environmental Quality: Division of Air Quality Notice of Public Comment Period: Fireworks Exceptional Events–Event Dates: 07/04/2010 Announces a public comment period for review of supporting documentation for declaration of an "exceptional event" causing a PM _{2.5} NAAQS exceedance at both the Ogden and Cottonwood monitoring stations on 07/04/2010. Comments due 10/17/2011.	

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA092311-1	Toxic Substances Fertilizer	09/12/2011	28:1VA.R6-9	Final Rule	Virginia Department of Agriculture Board of Agriculture and Consumer Services Regulations for the Application of Fertilizer to Nonagricultural Lands [2VAC5-405] Establishes requirements for the certification of fertilizer applicator certification. Effective 10/12/2011.	